Additions in Court Interpreting

A PhD Project Investigating the Language of
Court Interpreters in Danish Courtrooms

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Abstract

Court interpreters in Denmark are expected to follow the guidelines laid down in the document, *Instructions for Interpreters*, which was published in 1994. This paper contends that Danish court interpreters regularly fail to adhere to one of the rules in the guidelines, the rule regarding additions. The contention is one of the hypotheses of a recently undertaken PhD project which aims at demonstrating the presence of additions in interpreter renditions and at explaining motivations for including them. This paper presents the PhD project, which is the first of its kind in Denmark, and discusses its hypotheses, objectives and methodology. The paper also discusses the guidelines and the rule regarding additions, and finally it outlines some of the situations in which Danish court interpreters may find additions necessary.

Introduction

The Danish legal system would prefer the court interpreter to be physically invisible and verbally silent. The interpreter should not exist as a participant in her own right but should speak solely in place of the other participants in the courtroom: the judge, the lawyers, the defendant, the witnesses.

The legal system has only recently begun to focus on issues relating to court interpreting, and the reason for its focus is the growth of the immigrant and refugee population, which has meant that, in latter years, more and more non-Danish speakers have come into contact with the legal system. A result of this particular demographic change has been a growing awareness of the need for properly trained court interpreters, and of the role of the court interpreter in the courtroom. Consequently, in 1994, guidelines for interpreter behaviour were laid down for the first time in Denmark. One essential requirement in the guidelines is the absolute verbatim requirement which instructs interpreters to deliver renditions that match originals word for word, i.e. no deletions or additions.

However, it is the contention of this paper that Danish court interpreters regularly fail to meet the absolute verbatim requirement by not adhering to the rule regarding additions. The interpreters will not hesitate to adjust their renditions by adding information which did not exist in the original text, whenever they feel that there is a need for such extra information. The contention is also one of the hypotheses of my recently undertaken PhD project in court interpreting in Denmark, which will be presented later on in this paper.

The paper will start with a brief overview of court interpreting in Denmark, including a discussion of the guidelines and the rule regarding additions. This will be followed by a presentation of the PhD project, discussing hypotheses, objectives and methodology. Finally, I shall outline some of the situations in which Danish court interpreters may find additions necessary.

Court Interpreting in Denmark

In Denmark, like in many other countries, the use of court interpreters is stipulated by law. Section 149(1) of the Danish Administration of Justice Act (*Retsplejeloven*) stipulates[1] :

> The language of the courts is Danish. The questioning of persons who do not master the Danish language shall, as far as is possible, take place with the assistance of an authorised interpreter. In civil cases, an interpreter need not be appointed, if none of the parties demands it, and if the court believes that it has sufficient knowledge of the foreign language. The latter of these aforementioned exceptions shall also apply to criminal cases with the exception of cases heard by the High Courts.[2]

As evidenced, section 149(1) does not stipulate that the assistance of an interpreter is always obligatory, but in criminal cases at all levels an interpreter is usually requested as a precaution, even if it is made known to the court that the defendant does in fact master some Danish. Generally, the courts and the police will wish to avoid the risk of appeals being lodged on the grounds that the defendant (or a witness) did not receive proper interpreter assistance[3].

What section 149(1) does stipulate, however, is that interpreters used in courts shall be authorised, a requirement which cannot always be met. As a rule, only interpreters with a master's degree in LSP (language for special purposes) from either of two Danish institutions, the Aarhus School of Business and the Copenhagen Business School, can become authorised interpreters, and only in the six following languages: English, German, French, Spanish, Italian and Russian. Interpreters in other languages, though receiving formal training and passing exams, cannot usually become authorised interpreters. This fact may be explained by the different backgrounds of the two groups of interpreters: (1) Authorised interpreters are, as a rule, Danish nationals who have studied a foreign language and culture and acquired a master's degree in that language and culture. (2) Interpreters in other languages are either foreign nationals who are, as a minimum, high school graduates of their own countries and who have acquired a sufficient knowledge of Danish language and culture to be formally trained or pass exams; or, if no training and exams are available, foreign nationals who have been found to posses sufficient knowledge of Danish to function as interpreters[4].

Since a proclamation in January 1994[5], all police interpreters, whether authorised or not, have to be approved by the office of the National Commissioner of the Danish Police (*Rigspolitichefen*), which publishes an official list. The list, which is continuously updated, is sent to the Danish Ministry of Justice and all institutions under the Ministry, including the police and the courts of law. Actually this means that the National Commissioner of Police has no power of approval over court interpreters, only police interpreters. However, in practice, at least when hearing criminal cases, the courts

will appoint only interpreters whose names appear on the official list. That this is not always true of civil cases is probably due to the fact that interpreters assisting in criminal cases are hired by the prosecuting authority, whereas interpreters assisting in civil cases are hired by representing lawyers, who are more likely to consult interpreting agencies, rather than the official list. But, generally, as a precaution (cf. criminal cases) an authorised interpreter will be hired also in civil cases if one is available in the language required.

Ethical Issues and the Rule Regarding Additions

As stated above, the guidelines dealing with ethical issues were laid down in 1994. In November of that year, the office of the National Commissioner of the Danish Police (*Rigspolitichefen*) published two documents: a list of rules and *Instructions for Interpreters*. The list of rules accompanies the above-mentioned proclamation and is intended for the police and other judicial officials who work with interpreters, whereas *Instructions for Interpreters* is addressed to interpreters on the official list, who are expected to follow the guidelines laid down in that document. According to Schweda Nicholson & Martinsen (1995:264) these guidelines are similar to those of many codes of ethics for police and court interpreting throughout the world. *Instructions for Interpreters* deal with four principles:

1. Accuracy and Completeness
2. Impartiality
3. Confidentiality
4. Conflict of Interest.

For the purpose of this paper only *Instructions for Interpreters* and the principle of *Accuracy and Completeness*, which describes the rule regarding additions, will be discussed here.

The principle of *Accuracy and Completeness* is formulated in the following manner[6]:

> Interpretations must be rendered faithfully and in their entirety. Information must not be changed or altered in any way (no additions or deletions). Emotion and tone of the original must be maintained and conveyed in the target language. Offensive and/or vulgar language must be preserved.

In other words, the interpreter should function as a translating machine, or as a kind of transducer transforming an input in one language into an output, which is an exact replica of the original, in another language. The interpreter should just translate, s/he should translate everything and s/he should translate accurately (cf. Wadensjö 1995:115). That this is the prevalent view among Danish judges, lawyers and policemen is supported by the findings of Schweda Nicholson & Martinsen (1995): one interviewee described interpreters as “machines” and elaborated by saying that they should translate the material “word for word” (Schweda Nicholson & Martinsen 1995:263).

Of course, seen from the point of view of the legal system, this view of the interpreting process has a major pragmatic advantage. In the words of Morris (1995): "It enables the courts to function effectively as a monolingual setting, since the absolute verbatim requirement has been laid down and will, it is presumed, be met" (Morris 1995:30). The courts are able to hold that what is stated originally in a foreign language can, after being switched into Danish, continue to function as an original text.

So, at least in theory, Danish speakers and non-Danish speakers are afforded equal opportunities in a Danish courtroom. However, an interesting point to be made here is the fact that *Instructions for Interpreters* are published by the National Commissioner of Police and are handed only to those interpreters who appear on the official list of approved interpreters. The courts have never provided their own guidelines, but apparently leave it up to the police to lay down ethics for interpreter behaviour. A result of this is that some interpreters, if appearing only in civil cases, may actually never see *Instructions for Interpreters* (cf. above). Still, it is to be presumed that only a very small number of interpreters will appear exclusively in civil cases, as criminal cases make up the majority of cases in which interpreters appear.

It is tempting to conclude that the requirement of accuracy and completeness may be based on the two-level supposition discussed by Morris (1995) "that, as a matter of general principle, one language can be switched into another with no loss of substance and form, and, furthermore, that a standard of absolute accuracy will be achieved in a particular interpreting performance" (Morris 1995:30).

This apparent disregard for issues such as language differences or cultural differences, or problems of ambiguity, together with the rather naive assumption that all interpreters perform equally well at all times, makes it even more tempting to conclude that no linguist, and certainly no interpreter, was involved, or consulted, when the guidelines were laid down. It is thus to be hoped that studies in police and court interpreting will lead to an understanding of the relevance of these issues, and, ultimately, to new guidelines which will be more in line with the realities of practical police and court interpreting.

The PhD Project

The Hypotheses

The PhD project is based on the following two hypotheses:

1. In specific situations, Danish court interpreters will add information to the source texts (the originals), with the result that the target texts (the renditions) will contain information which was not originally present in the source texts.

2. Danish court interpreters believe that the presence of these additions in the target texts (renditions), in the specific situations, is fully in line with the ethics of their profession.

In other words, there are situations in which court interpreters will not hesitate to alter renditions by including additions, though *Instructions for Interpreters* specifically tell them not to, and the interpreters do not believe that the presence of additions in these situations makes them disloyal either to the message in the originals or to the parties of the dialogues.

The hypotheses were initially based partly on my own experiences as a practising court interpreter and partly on discussions with colleagues in the field. But they have been supported by research into court interpreting undertaken by interpreting scholars in other countries, because, although these scholars did not set out to investigate additions, they all demonstrated their presence and various motives for including them (cf. Morris 1989, Berk-Seligson 1990, Jansen 1992, Wadensjö 1992):

Ruth Morris, in her article on the Demjanjuk trial which took place in Jerusalem, Israel in 1987-1988, demonstrates that some interpreters regarded themselves as intercultural as well as an interlingual mediators, and thus allowed themselves to e.g. add "culture-bound references in order to make communication more effective" (Morris 1989: 35-36).

Susan Berk-Seligson demonstrates that some court interpreters in American courtrooms lengthened witness testimonies by including linguistic material in their English renditions of Spanish utterances which was not present in the originals. Apparently some of this material was added because the interpreters experienced translational difficulties, e.g. hedges, hesitation forms, material perceived to be underlying in the originals, and rephrasings or repetitions of already interpreted utterances. Another material, polite forms of address, seems to have been added whenever an interpreter's need for politeness became dominant, e.g. when she was answering a judge (Berk-Seligson 1992:122-142).

Peter Jansen demonstrates how one court interpreter in a Dutch courtroom, interpreting between Spanish and Dutch, constructs a complete dialogue by adding material to a defendant's fragmented testimony. Jansen speculates that the addition of the dialogue may have been caused by the interpreter's fear of losing information, and thus of being unable to preserve the plausibility of the defendant's story. Jansen also demonstrates that the interpreter often included additions to compensate for the different formality levels of the participants' speech, i.e. the formal speech of court officials versus the very informal speech of this particular defendant. Thus to accommodate the need of the defendant, the interpreter would in her Spanish renditions explicate technical terms, clear up ambiguities and/or make presuppositions explicit (Jansen 1992:145-149).

Cecilia Wadensjö analyses the language of Swedish dialogue interpreters interpreting between Russian and Swedish in settings such as health-care clinics and police stations and provides examples of expanded renditions. Apparently disambiguation was the dominant function of these expansions (Wadensjö 1992:74-79).

As there is no reason to believe that the phenomenon is restricted to courts outside Denmark the research undertaken by these scholars is regarded as providing evidence of the plausibility of the hypotheses.

The Objectives

The hypotheses will be tested by studying the language of Danish court interpreters interpreting between English and Danish. By comparing the interpreters' renditions with their originals, it is hoped that the following objectives may be reached:

1. A documentation of the presence of additions in interpreter renditions.
2. A description of the elements that constitute additions in interpreter renditions.
3. An explanation for the presence of additions in interpreter renditions.

To reach the first objective, a documentation of the presence of additions, the first problem to be encountered is the necessity of defining additions, i.e. the setting up of criteria for which element, or elements, in an interpreter's rendition shall constitute an addition. The search for a solution to this problem has still not been completed. However, it is believed that one of the issues involved is the necessity of distinguishing between information and text, i.e. between information which may be defined as "extra" or "new" information, and information which is already present in the text, because it is connected to e.g. the situation or the cultural background of the speaker. Additions of the first kind may perhaps easily be identified as constituting a violation of interpreting ethics, but additions of the latter kind are more difficult to define: do they also constitute a violation of interpreting ethics, or are they essential to successful, or effective, communication and therefore acceptable, perhaps even unavoidable?

Once a definition has been established and the presence of additions has been documented, the next step will be to describe the elements that constitute additions. Finally, to reach the third objective, an explanation of the presence of additions, originals will be analysed for the purpose of identifying specific elements in the originals, including situational and/or contextual factors, which may explain the presence of additions in the interpreters' renditions.

Methodology

The Setting

The setting is Danish district courts, which are courts of first instance for the majority of both criminal and civil cases. For the purpose of this study, interpreting in two particular district courts will be analysed: the Copenhagen City Court and the District Court of Aarhus. These courts have been chosen because they are situated in the two largest cities in Denmark, which means that they get the bulk of cases in which interpreters appear.

Also for the purpose of this paper, only interpreting in criminal cases will be investigated. The reasons for this are (1) that interpreter assistance is mainly required, and used, in criminal cases, and (2) that interpreters assisting in criminal cases, and interpreting between Danish and English, are always authorised interpreters whose names appear on the official list (cf. above).

Records in the district courts (as in all other courts in Denmark) are in Danish only, as if proceedings were always monolingual, and they are not verbatim. Of course, one consequence of this is the impossibility of proving interpreter errors or inaccuracies, e.g. in appellate cases.

The participants

In criminal cases heard in the district courts the participants are the judge (sometimes assisted by two lay judges[7]), the prosecutor, the defence counsel, the defendant, the witnesses and the interpreter. There are no jury trials in district courts. Each participant has a specific role which is laid down in the Danish Administration of Justice Act (*Retsplejeloven*). The judge hears the case, which involves asking questions and allocating turns, and passes sentence. The prosecutor prosecutes the case and aims for a conviction. The defence counsel presents the defence and aims for an acquittal or a reduced sentence. The prosecutor and the defence counsel present their case from the point of view of the party, or parties, they represent. They both have a message to sell, and they will both want to bring certain issues or aspects into focus. To achieve this purpose they will present evidence and examine and cross-examine witnesses. However, it is relevant to bear in mind that under Danish law, the prosecutor, in preparing and presenting his case, has to favour both sides, i.e. the prosecutor is required to present evidence which may favour the police along with evidence which may favour the defendant[8]. This stipulation imposes conditions on the role-play of the two adversaries which has the effect of making the Danish courtroom less of an adversarial courtroom than many other courtrooms throughout the world.

The defendant is asked questions; but s/he is under no obligation to tell the truth. The witnesses, on the other hand, are, always obliged to tell the truth, and will be reminded of this obligation by the judge before the interrogation begins. Whenever a defendant or a witness is examined or cross-examined by either the prosecutor or the defence counsel, they mostly act on cues from either of the two lawyers, and only rarely do they get to tell an uninterrupted story.

The interpreter is present in the courtroom to ensure that the other participants may communicate as if the proceedings were monolingual. The goal is to ensure the success of the communication, i.e. that all details as well as the message of a particular dialogue is understood by all participants. Though present in the courtroom, the interpreter is not a part in the proceedings. The court will presume that s/he is familiar with the guidelines laid down in *Instructions for Interpreters*, and that s/he will act in accordance with them. S/he is not asked to swear an oath; but before s/he starts interpreting, the judge will ask her, for the record, to state her name and address, and whether or not s/he is an authorised interpreter. (This is the procedure in all Danish courts.) When seated the interpreter will sit next to the defendant or witness whom she is to assist, and, ideally, the other participants will communicate as if s/he is not there. Ideally, because in reality participants often find it hard on their part to ignore the interpreter's presence and in fact speaks directly to him or her, instead of *through* him or her. Some participants seem to forget that the interpreter is not the author of utterances (cf. Wadensjö 1992) but merely relays the utterances of others. However, based on my own experience and conversations with other court interpreters, I venture the statement that this, though annoying, is not a serious problem for a court interpreter, and that most interpreters will simply go on rendering utterances in the first person as if the "mishap" had not occurred.

Data

The data used will be authentic data in the form of tape recordings of interpreter renditions in either of the two courts mentioned above. I should like to add that this makes my study the first Danish research project ever to include authentic tape

recordings or video recordings of proceedings in Danish courts. Most likely this is due to the fact that, as a rule, neither tape nor video recording may be allowed in any Danish court. However, my own application was helped along by two facts: (1) that in these years courts are slowly opening up to the possibility of reporters tape recording proceedings in open court, and (2) the aforesaid focus on issues relating to court interpreting, which has made the Danish legal system interested in lending their support to research projects in court interpreting.

Having obtained permission from the courts and the police, I set out to get the co-operation of the court interpreters. Ten court interpreters have now agreed to co-operate, and since there are no more than 25 court interpreters who interpret between English and Danish, ten must be regarded a fair representative sample. However, one thing is getting their co-operation, another is getting them into court: in Denmark, a relatively small number of court interpreters interpret a lot, and the large number of interpreters only interpret in court every other month or so.

Naturally, getting permission from the courts and the police, and the co-operation of the interpreters, despite being the biggest hurdle to overcome, only gets me part of the way, as before recording any proceedings I have to get permission also from the other participants, i.e. the defence counsel, the defendant and the witnesses.

One more hurdle to overcome has been the practical problem of recording. In district courts in Denmark participants sit close together, and microphones are never used. As the objective is to gather authentic data it is essential that the participants behave in a way which is natural for them, and I felt that equipping court interpreters with microphones would destroy that purpose by making them too conscious of the fact that they are being recorded. I finally solved the problem by acquiring a sensitive "zoom" type microphone which can pick up sounds over long distances, from all directions and magnify them. Thus, I can sit anywhere in the courtroom and record all parties equally well at all times, without drawing attention to myself.

Getting permission and obtaining the right equipment has taken its time and has meant that only now, after eight months, am I ready to start gathering data. Still, the thrill of being able to use authentic data for my PhD project makes up for all the efforts and the delay. Also, I should like to demonstrate to the legal system that bringing tape recorders into the courtroom for the purpose of interpreting research will not harm the system, but may, in fact, benefit it by providing useful knowledge of the interpreting of courtroom proceedings.

Situations in which additions may occur

In the following I shall outline some of the situations in which Danish court interpreters may choose to include additions in their renditions. My theory about when additions may occur has been developed by combining the research of interpreting scholars in other countries (cf. Wadensjö 1992, 1995a and 1995b, Jansen 1992, Morris 1989, 1992 and 1995, Shlesinger 1991, Berk-Seligson 1990) with facts about Danish courtroom procedure, together with the few facts that are presently available about the work of court interpreters in Danish courtrooms. I have chosen as my starting point various aspects which may lead to interpreter additions. However, for the purpose of this paper I shall confine myself to a shortened presentation of the following six aspects only:

courtroom discourse, courtroom atmosphere, power structure, lawyers' questioning strategies, witnesses' testimony style, and communication failure.

Aspects Which May Lead to Interpreter Additions

Courtroom Discourse

Courtroom discourse has been investigated by Danet (1980) and O'Barr (1982) amongst others. It is not within the scope of this paper to present these investigations in depth. Suffice it to say that courtroom discourse is characterised by a certain level of formality and use of legal terminology.

Problem. The interpreter suddenly realises that a defendant, or a witness, is unfamiliar with the legal terminology and does not understand what is going on. The interpreter knows that the responsibility for remedying this problem lies with the defence counsel, or the judge, but it is obvious that neither is aware of the problem.

Result. Rather than interrupt proceedings, the interpreter decides to remedy the problem by explaining legal terms rather than translating them.

Consequence. By remedying the problem, the interpreter takes over the responsibility for the communication, and s/he becomes a party in the proceedings. Another consequence of this interpreter intervention is that the monolingual party in the bilingual proceedings gets more assistance than a monolingual party in monolingual proceedings.

Courtroom Atmosphere

The courtroom atmosphere is formal, due to e.g. formal language (legalese) and the seriousness of the situation: the crime and its implications.

Problem. A defendant, or a witness, is intimidated. The interpreter becomes aware of this and attempts to remedy the situation, i.e. make the defendant, or witness, feel more at ease.

Result. The interpreter softens up questions by adding linguistic politeness markers or comforting remarks.

Consequence. As described above, the interpreter, by remedying the problem, takes over the responsibility for the communication, and s/he becomes a party in the proceedings. Again, the monolingual party in the bilingual proceedings gets more assistance than a monolingual party in monolingual proceedings would have got.

Power structure

The power structure of the actors in the courtroom is such that a witness, perhaps with the exception of an expert witness, and a defendant will be subordinate to the judge, the prosecutor and the defence counsel, and the two latter persons will be subordinate to the judge.

Same problem, result and consequence as in *Courtroom Atmosphere*.

Lawyers' Questioning Strategies

According to Berk-Seligson, investigations by Danet and associates have proved that lawyers in their choice of questioning strategy are able to exercise control and to coerce witnesses into giving specific answers (Berk-Seligson 1990:22-25). Lawyers'

questioning strategies have also been investigated by Luchjenbroers (1997) who fully supports this claim.
Problem. The questioning strategy is abrupt and very impolite, and the interpreter has a problem with this, as s/he does not want to appear abrupt and rude before the court.
Result. The interpreter lengthens questions and/or adds politeness markers.
Consequence. The interpreter obstructs the lawyers' questioning strategy. By doing this s/he becomes a party in the proceedings.

Witnesses' Testimony Style
Berk-Seligson who draws on this terminology from the works of O'Barr and his associates, states that testimony style can be narrative or fragmented, or powerful or powerless (Berk-Seligson 1990:20-22). Berk-Seligson reports that studies by O'Barr and his associates have shown that American juries react more favourably to narrative than fragmented style of testimony, and more favourably to powerful than to powerless style of testimony (Berk-Seligson 1990:146-149).
Problem. The testimony is delivered in fragmented style, and the interpreter is afraid that if s/he renders it in the same style s/he will appear hesitant, and thus incompetent.
Result. The interpreter changes the length and/or style of the testimony, turning fragmented into narrative style, by adding information in the form of e.g. linguistic material that is perceived to be underlying, or 'understood', in the original, i.e. by explicating implicit information.
Consequence. The interpreter may end up creating a more favourable impression of the defendant, or witness. However, the fact that Danish district courts have no jury trials, and the fact that, all things being equal, lawyers and judges are probably not as easily influenced by a witness's testimony as are juries who are made up of laypersons, must be taken into consideration here.

Communication Failure
Communication fails, e.g. the participants suddenly misunderstand each other, answers do not match questions, intentions are misunderstood or not understood at all, etc. Some reasons for this failure could be mistranslation, differences in culture or the fact that one of the participants failed to hear fragments of a question or an answer.
Problem. The interpreter becomes aware of the problem, perhaps before the other participants do - if they ever do, and s/he tries to remedy the situation, realising perhaps that the communication failure may cast doubt on the quality of the interpreting.
Result. The interpreter adds pieces of information in order that the parties may once more understand each other and communication get back on track.
Consequence. The communication succeeds, and the interpreter performs the job that s/he is commissioned to do. There are no negative consequences.

Concluding Remarks

The objective of establishing reasons for the presence of additions in interpreter renditions, along with the two remaining objectives of the PhD project, will hopefully be reached through the actual study of the language of Danish court interpreters interpreting between English and Danish. This paper has aimed at presenting the PhD

project and at demonstrating its relevance. It is hoped that the final results will contribute with useful knowledge of the interpreting process in Danish courtrooms which may benefit the legal system as well as the court interpreters and those who train them.

Notes

1. In this paper all translations into English of material originally in Danish are provided by the author, unless otherwise stated.

2. The ordinary courts of law in Denmark are: the Supreme Court, the two High Courts, the Western Division and the Eastern Division, and approximately 84 district courts.

3. Danish appellate procedure generally allows appeal against judgment to the court immediately above, and the High Courts have been known to quash convictions following appeals lodged on grounds relating to court interpreting. For example in 1996, a successful appeal was lodged to the High Court, Western Division, on the grounds that telephone interpreting had been used in the district court. The High Court held that telephone interpreting did not constitute proper interpreting as the interpreter had been unable to interpret "gesture, body language and facial expressions, thus increasing the risk of errors and misunderstandings" (Judgment of the High Court, Western Division, 5 September 1996). In 1997, another successful appeal was lodged to the same court on the grounds that the district court had failed to appoint an interpreter. The High Court held that the failure to appoint an interpreter amounted to a violation of the defendant's right to a proper trial (Judgment of the High Court, Western Division, 26 August 1997).

4. This paragraph demonstrates the rule, but there are exceptions. Some interpreters in other languages have in fact managed to become authorised interpreters. Generally, these interpreters are either Danish nationals with a master's degree in a foreign language which may not be studied at either of the two institutions mentioned above, or they are foreign nationals with university degrees in their own languages who possess a profound knowledge of the Danish language, and of the Danish society and its institutions.

5. Proclamation (*Kundgørelse*) I, No. 11, 12 January 1994.

6. Translation in Schweda Nicholson & Martin 1995:264.

7. Sections 18(2) and 686(2, 3 and 4) of the Danish Administration of Justice Act (*Retsplejeloven*).

8. Section 96(2) of the Danish Administration of Justice Act (*Retsplejeloven*).

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